GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Health Medical & Family Welfare Department - Departmental proceedings initiated against Sri K. John Sundar, (Retired) Professor & HOD, Department of Physiology Government Medical College, Kadapa – Regularization of suspension period as ON DUTY – Appeal Petition - Rejected – Revision Petition – Rejected - Orders Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O.Rt.No.471 **Dated:29.07.2024**

Read the following:

1. G.O.Ms.No.578, G.A (Ser.C) Department, dated:31-12-1999.
2. G.O.Rt.No.835, HM&FW (VC.I) Department, dated:18-10-2014.
3. G.O.Rt.No.560, HM&FW (VC.I) Department, dated:25-10-2017.
4. G.O.Rt.No.96, HM&FW (VC.I) Department, dated:21-03-2018.
5. G.O.Rt.No.242, HM&FW (VC.I) Department, dated:08-06-2018.
6. Letter dated: 24-08-2018, of the DME, AP along with inquiry report.
7. Govt. Memo No.9978/VC1(2)/2014-2, dated:28-01-2020.
8. From the DME, AP,Vijayawada,Lr Rc No.36150/E1B/2013,dt:12.02.2020.
9. G.O.Rt.No.365 HM&FW (VC.1) Department, dated:13-8-2020.
10. From Dr. K.John Sundar, (Retired)Professor & HOD, Dept of Physiology Government Medical College, Kadapa, Representation dated:12.11.2020 & representation dated: Nil.
11. G.O.Rt.No.418, HM&FW(VC.I) Dept., dated: 05-08-2021.
12. From Dr. K.John Sundar, (Retired) Professor & HOD, Dept of Physiology Government Medical College, Kadapa, Representation dated:08-08-2023.
13. G.O.Rt.No.830, HM&FW (VC.I) Dept., dated:16-11-2023.
14. From Dr. K.John Sundar, (Retired) Professor & HOD, Dept of Physiology Government Medical College, Kadapa, Representation dated:09-03-2024.

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O R D E R:

In the G.O.2nd read above, Dr.K.John Sundar, Professor of physiology, Guntur Medical College, Guntur was placed under suspension from Government service, until the conclusion of the disciplinary proceedings against him and subsequently suspension was reviewed in the light of the instructions issued in the G.O.1st read above and orders were issued for continuation of suspension of the Charged Officer until conclusion of the disciplinary proceedings vide G.O. 4th read above.

2. In the reference 3rd read above, articles of charges were framed against Dr.K.John Sundar, formerly worked as Professor of physiology, Guntur Medical College, Guntur. And in the reference 5th read above, Dr.KSS Venkateshwar Rao, Principal, Government Medical College, Ananthapuram was appointed as Inquiry Officer to Inquire into the charges framed against the Charged Officer (under suspension), under Rule 20 of A..P. Civil Services (CC&A) Rules, 1991 and to complete the enquiry within two (02) months and submit his report to Government.

3. In the reference 6th read above, the Director of Medical Education, Andhra Pradesh, Vijayawada has furnished a copy of inquiry report submitted by the Enquiry Officer to the Government on the charges framed against the Charged Officer for his unauthorized absence and the findings of the Enquiry Officer is extracted here under:

> *"It is opined that, the said doctor is unauthorized absence for duty from 23-01-2013 to 15-11-2013 and from 17-4-2014 to 03-05-2014 and 07-05-2014 to till date on will full. The action may be taken against him as per CCA Rules and the unauthorized absence period may be treated as dies-non.*

4. In the reference 7th read above, the suspension of Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur has been reviewed in terms of the provisions contained in G.O.Ms.No.578, General Administration (Services.C) Department, Dated:31-12-1999 and Government have decided to revoke his suspension and to reinstate him into service under clause (c) of sub-rule (5) of Rule-8 of Andhra Pradesh Civil Services (CC&A) Rules,1991 further the Government after

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careful examination of the Enquiry report have decided to regularize the following unauthorised absence period of Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur as 'Dies-Non' under FR.18 and the DME, AP, Vijayawada was requested to take necessary further action accordingly.

I. 23-01-2013 to 15-11-2013
II. 17-04-2014 to 03-05-2014
III. 07-05-2014 to 17-10-2014

5. In the reference 10th read above, Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (Presently retired) has requested the Government through the Director of Medical Education, Andhra Pradesh, Vijayawada to Sanction him any kind of leave for his unauthorised absence period and regularize his suspension period from 18.10.2014 to 04.09.2020 as 'On Duty'. Government after examination of the matter, order to upheld his unauthorised absence period as 'Dies Non' since the article of charge framed against him were proved and regularise his suspension period from 18.10.2014 to 04.09.2020 duly permitting him to avail any kind of leave whichever is eligible to him vide reference 11th read above.

6. In the reference 12th read above, Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (Presently retired) has made Appeal Petition to the Government to requesting to set aside the orders issued in the reference 11th read above and sanction eligible leave for un- authorised absence period in three spells (23-01-2013 to 15-11-2013, 17-04-2014 to 03-05-2014, 07-05-2014 to 17-10-2014) instead of "Dies-Non" and regularization of Suspension period from 18.10.2014 to 04.09.2020 as "On - Duty" instead of leave to enable him to get pension and retirement benefits on humanitarian grounds. Government after careful examination of the matter hereby reject the Appeal petition of Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (now retired), as there are no new grounds put forth by him vide 13th read above.

7. In the reference 14th read above, Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (Presently retired) has made revision Petition to the Government to requesting to set aside the orders issued in the reference 11th read above and sanction eligible leave for un- authorised absence period in three spells (23-01-2013 to 15-11-2013, 17-04-2014 to 03-05-2014, 07-05-2014 to 17-10-2014) instead of "Dies-Non" and regularization of Suspension period from 18.10.2014 to 04.09.2020 as "On - Duty" instead of leave to enable him to get pension and retirement benefits on humanitarian grounds. Government after careful examination of the matter hereby reject the revision petition in respect of Dr.K.John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (now retired), as lenient view was already taken in his case and his suspension period was regularized as leave whichever eligible without imposing penalty and upheld the orders issued in reference 7th read above.

8. The Director of Medical Education, Andhra Pradesh, Vijayawada shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

To
Dr. K. John Sundar, formerly Professor of physiology, Guntur Medical College, Guntur (retired) through the Director of Medical Education, AP, Vijayawada.
The Director of Medical Education, AP, Vijayawada.
The OSD to Hon'ble Min (HFW&ME).
The PS to Secretary to Government, HM&FW Department.
SF/SC

//FORWARDED::BY ORDER//

V. Harsha

SECTION OFFICER